

REMARKS

This paper is submitted in response to the Final Office Action mailed August 31, 2009. At that time claims 1-4, 6-8, 10-13 and 15-18 were pending.

In the Office Action claims 1-3, 6, 8, 10-11, 13 and 15-16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Klimek (United States Patent No. 5,515,652, hereinafter “Klimek”), and claims 1-4, 6-8, 10-13 and 15-18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gill (United States Patent No. 1,202,990, hereinafter “Gill”). Furthermore, claims 4 and 8 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Finally, the drawings of the application were objected to under 37 C.F.R. 1.83(a) because they fail to show the finished assembly with the parts clearly attached to each other as described in the specification.

By this paper claims 4 and 8 have been amended and a replacement sheet has been provided for Figure 2. Accordingly, claims 1-4, 6-8, 10-13 and 15-18 are presented for reconsideration and allowance by the Examiner.

Interview with Examiner A

Applicant expresses appreciation to Examiner Phi Dieu Tran A for conducting a telephonic interview with Applicant’s attorneys David B. Tingey and David R. Conklin on October 28, 2009. At that time the application as pending was discussed. The claims were discussed in light of the cited prior art references. At that time, Examiner A and Applicant’s attorneys agreed that the cited references do not read on the cited prior art, and that reconsideration of the application should be requested in an amendment after final. Accordingly, Applicant submits the present response.

Rejections under 35 U.S.C. §112, second paragraph

Applicant respectfully submits that claims 4 and 8 have been amended to overcome Examiner's rejections under 35 U.S.C. §112, second paragraph. Accordingly, Applicant requests withdrawal of the present rejection.

Rejections under 35 U.S.C. §103(a)

Applicant respectfully submits that claims 1-4, 6-8, 10-13 and 15-18 were incorrectly rejected under the presently cited prior art references. In particular, Applicant submits that, as discussed and agreed upon with Examiner A during the Examiner's Interview today, the cited prior art references do not read on the claims of the present invention. Accordingly, Applicant requests withdrawal of the Final Rejection and respectfully requests favorable reconsideration of the application.

CONCLUSION

Applicant submits that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicant requests favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

DATED this 28th day of October, 2009.

Respectfully submitted,

/David B. Tingey/

DAVID B. TINGEY
Attorney for Applicant
Registration No. 52,289

KIRTON & McCONKIE
1800 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 321-4814
Facsimile: (801) 321-4893

DBT:DRC:wme